
Federal Communications Commission

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
County of Nassau)	File No. EB-09-NY-0081
Licensee of Radio Station WNNM884)	
Westbury, New York)	NOV No. V200932380032
)	

NOTICE OF VIOLATION

Released: April 13, 2009

By the District Director, New York Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to the County of Nassau ("Nassau") licensee of land mobile radio station WNNM884 in Westbury, New York.
2. On April 7, 2009, in response to a complaint, an agent of the Commission's New York Office monitored and investigated radio station WNNM884 and observed the following violation:

47 C.F.R. § 1.903(a): "*General rule.* Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section." The license for this station authorizes only trunked 800 MHz band frequencies from 821 to 824 MHz and from 866 to 869 MHz. During the investigation, the licensee was found to be operating a conventional mobile repeater on the unauthorized frequency 853.9875 MHz.
3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Nassau must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹47 C.F.R. § 1.89.

²47 U.S.C. § 308(b).

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New York Office
201 Varick St, Suite 1151
New York, New York 10014

4. This Notice shall be sent to County of Nassau at its address of record.
5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Daniel W. Noel
District Director
New York District Office
Northeast Region
Enforcement Bureau

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*